

REMARKS

Claims 1-144 are pending in the application. Claims 29-144 are withdrawn from consideration. Claims 1-28 are rejected. Independent claims 1, 8, 15 and 22 have been amended.

Claims 1-28 are rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by Lim (US 2002/0057663). Applicants respectfully traverse the rejection.

The Applicants respectfully submit that the claim amendment has further clarified the patentability of the pending claims over the applied art and now rendered the current rejection moot.

Claim 1 of the Applicants' claimed invention recites, *inter alia*, wherein at least a portion of the information is transmitted on at least one available common channel and this transmitted information does not require establishment of a dedicated traffic channel.

The support for the amended features are found on page 8, paragraph 38 of the Applicants' specification.

Lim fails to teach at least the amended features added by the Applicants. In paragraph 10, Lim discloses that:

FIG. 2 is a drawing illustrating a service connection (from an MS view) between radio protocol objects of a CDMA mobile communication system. The functional object of a radio protocol and a service interface includes a physical channel object 10, such as a common assignment channel (CACH), a common power control channel (CPCCCH), a pilot channel (PCH), a common control channel (CCCH), a sync channel (SYNC), a fundamental traffic channel (FCH), a supplemental channel (SCH), a **dedicated** control channel (DCCH), a reverse access channel (R-ACH), a reverse enhanced access channel (R-EACCH), a broadcast control channel (BCCH), and a paging channel (PCH). The functional object of the radio protocol and the service interface also includes a logical channel object 20, such as a common signaling channel (csch) for transmitting a common signal, a **dedicated signaling channel** (dsch) for transmitting a control signal with an assigned MS, and a **dedicated traffic channel** (dtch) allocated to an assigned MS, for transmitting user data. (boldface added for emphasis)

Furthermore, in claim 1 of Lim, there is an emphasis that “transmitting the received M/B packet data to a plurality of mobile stations through an M/B packet data **dedicated channel.**”

Again, the Applicants’ invention specifically does not require the use of a dedicated channel as required by the Lim patent.

Therefore, for at least these reasons it is respectfully submitted that the rejection be withdrawn and that claim 1 be allowed.

Claims 2-7 are dependent claims that depend upon independent claim 1 and should be allowed for at least the same reasons presented above regarding claim 1 as well as the additionally recited features found in these claims.

Independent claims 8, 15 and 22 relate related subject matter to independent claim 1 and should be allowed for at least the same reasons presented above regarding claim 1 as well as the additionally recited features found in these claims.

Claims 9-14, 16-21 and 23-28 are dependent claims that depend upon independent claims 8, 15, and 22 respectively and should be allowed for at least the same reasons presented above regarding claim 1 as well as the additionally recited features found in these claims.

CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

Dated: September 6, 2005

By: 
John L. Ciccozzi
Reg. No. 48,984
(858) 845-2611

QUALCOMM Incorporated
Attn: Patent Department
5775 Morehouse Drive
San Diego, California 92121-1714
Telephone: (858) 658-5787
Facsimile: (858) 658-2502